

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CASE NO.: [23-cr-00269-JSW-3](#)

TITLE: United States of America v. Devon Christopher Wenger

DISTRICT JUDGE:			GOVERNMENT COUNSEL:		DEFENSE COUNSEL:
JEFFREY S. WHITE			Alethea M. Sargent Alexandra Shepard		Michael Schwartz Kacey Castillo
TRIAL DATE:			REPORTER(S):		CLERK:
9/11/2025			Lee-Anne Shortridge		Nicole Hall
JOINT EXHIBIT #	TIME	ID	ADM	DESCRIPTION	
	7:50 AM			Court and Counsel is present outside the presence of the Jurors to discuss housekeeping matters.	
	8:16 AM			Jurors entered the courtroom. Court admonishes the jurors.	
	8:20 AM			AUSA Sargent resumes direct examination of the witness, Eric Rombough, who remains under oath.	
32	8:22 AM	X		Inert 40mm Round	
17	8:22 AM	X	X	Antioch Police Department Less Lethal 40 MM Launcher Written Test (Rombough)	
451, pg. 1-5,14-18	8:25 AM	X	X	Antioch Police Department Combined Case Report, Case No. 21003574 (L.R.)	
5	8:32 AM			AUSA Sargent presents Exh. 5; Previously Marked and Admitted.	
106, pg. 22, 30-31		X	X	Excerpts from EAR-5000001- Rombough Text Messages (Table B)	
102, pg. 1968-1969		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages	
102, pg. 1411-1413		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages	
102, pg. 2029-2037		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages	
102, pg. 1473-1476		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages	
102, pg. 2357-2364		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages	
254		X	X	Excerpts from MJA -500001 M.C. Photographs	
102, pg. 2449-2450		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages	
102, pg. 2470-2471		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages	

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JOINT EXHIBIT #	TIME	ID	AD M	DESCRIPTION
102, pg. 2485		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages
102, pg. 2489-2490		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages
102, pg. 1897-1900		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages
102, pg. 2299		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages
102, pg. 3247-3249		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages
102, pg. 3726-3728		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages
102, pg. 3769-3774		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages
102, pg. 4036-4044		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages
102, pg. 4016-4020		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages
102, pg. 546 553-554;		X	X	Excerpts from MJA-500001-Rombough/Amiri Text Messages
106, pg. 139-140		X	X	Excerpts from EAR-500001- Rombough Text Messages (Table B)
107		X	X	Excerpts from EAR-500001 – Rombough/Amiri/Wenger Text Messages
462		X	X	Excerpts from EAR-500001-Rombough/Evans Text 5/5/21
	10:49 AM			Defense Counsel, Michael Schwartz begin cross examination.
	11:14 AM			Court takes a break.
	11:32 AM			Court is back in session.
32	11:38 AM	X		Inert 40mm Round
78	11:45 AM	X		Transcription of Interview of Eric Rombough (3/23/22)
	12:12 PM			Court breaks for lunch recess.
	1:03 PM			Court is back in session.
	1:27 PM			AUSA Sargent begins re-direct examination.
1004	1:32 PM	X	X	Rombough Plea Agreement
	1:35 PM			Defense Counsel Schwartz begins re-cross examination.

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JOINT EXHIBIT #	TIME	ID	ADM	DESCRIPTION
	1:37 PM			Witness is thanked and excused.
	1:40 PM			AUSA Sargent calls the witness, Larry Reed, who is sworn.
	1:52 PM			Defense Counsel Schwartz begins cross examination.
	1:53 PM			Witness is thanked and excused.
	1:54 PM			AUSA Sargent calls the witness Joseph Vigil, who is sworn.
2, pg. 16		X	X	Antioch Police Department Policy Manual dated February 5, 2020
3, pg. 16		X	X	Antioch Police Department Policy Manual dated January 8, 2021
14		X	X	Antioch Police Department Less Lethal 40 MM Laucher Written Test (Wegner-January 2020)
15		X	X	Antioch Police Department Less Lethal 40 MM Launcher Written Test (Wegner-January 2021)
301, pg. 32-35		X	X	Antioch Police Department Combined Case Report, Case No. 20007040 (J.A.)
308, pg. 1-3		X	X	Antioch Police Department K9 Utilization Report and Use of Force Report, Case No. 20-7040 (J.A.)
	2:24 PM			Court takes a break.
	2:25 PM			Court and Counsel is present outside the presence of the jurors to discuss trial schedule.
	2:48 PM			Court is back in session.
251		X	X	Antioch Police Department Combined Case Report, Case No. 20007063.
201, pg. 1-4		X	X	Antich Police Department Combined Case Report, Case No. 20007084 (D.R.)
223		X	X	Photographs (from official report)
202, pg. 1-11		X	X	Antioch Police Department K9 Utilization Report, Case No. 20007084 (D.R.)
401		X	X	Antioch Police Department Event Report (10/08/2020)
402	3:03 PM	X	X	Unit History Report- Morteza Amiri (10/08/2020) (M.Z.)
403	3:04 PM	X	X	Unit History Report – Matthew Contreras (10/08/2020) (M.Z.)
404	3:05 PM	X	X	Unit History Report – Ashley Allen (10/08/2020) (M.Z.)

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JOINT EXHIBIT #	TIME	ID	ADM	DESCRIPTION
501, pg. 11-17	3:08 PM	X	X	Antioch Police Department Combined Case Report, Case No. 21009075 (D.S.)
502	3:11 PM	X	X	Antioch Police Department Event Report, Event 21-076392 (D.S.)
505, pg. 1-4	3:13 PM	X	X	Antioch Police Department Use of Force Report, Wegner, Case No. 21009075 (D.S.)
351, pg. 1-4,11-12	3:16 PM	X	X	Antioch Police Department Combined Case Report, Case No. 20007004 (R.A.)
	3:16 PM			Defense Counsel Schwartz begins cross examination.
	3:19 PM			Witness is thanked and excused.
	3:22 PM			AUSA Shepard calls the witness, Dana Flores, who is sworn.
655, pg. 13	3:25 PM	X	X	C.Y. Medical Records, Sutter
517	3:25 PM	X	X	D.S. Medical Records, Sutter Health, 10/26/21
460	3:28 PM	X	X	L.R. medical records, Sutter Health
	3:29 PM			Defense Counsel Castillo begins cross examination.
	3:33 PM			Witness is thanked and excused.
	3:35 PM			AUSA Shepard calls the witness William Hatcher, who is sworn.
302		X	X	Pittsburg BWC Video (J.A.)
	3:50 PM			Defense Counsel Schwartz begins cross examination.
	3:53 PM			Witness is thanked and excused.
	3:53 PM			AUSA Sargent calls the witness Darryl Holcombe, who is sworn.
	4:07 PM			Darryl Holcombe is designated as an expert witness in the field of Digital Forensics.
	4:15 PM			Jurors are admonished and excused for the day.
	4:16 PM			Court and Counsel are present outside the presence of the jurors, to discuss the motion's briefing schedule.
	4:28 PM			Court is adjourned for the day. Court will resume session on Monday, September 15, 2025, 7:30 for counsel and 8:00 for the jurors.